

Remarks

By the present amendment, claims 1 and 3-18 are pending, claim 2 is canceled, claims 3, 5 and 9-16 are withdrawn, and claims 17 and 18 are added. Claims 1, 6, 8, 9 and 11-16 are amended, leaving claims 3-5, 7 and 10 unchanged.

The Abstract is objected to for containing the phrase "The invention relates to" and the term "said". These items have been removed from the Abstract.

The drawings are objected to for indicating first and second connection points with arrows in Fig. 1. The specification has been amended to clarify that these connection points are actually connection locations.

The Specification is objected to and claims 1, 2, 4 and 6-8 are rejected under 112, first and second paragraphs for use of the terms "first connection point" and "second connection point". The Specification and claims are amended to set forth "a first connection location" and "a second connection location". During the May 6, 2010 telephonic interview, the Examiner agreed to drop the 112 rejections if the "connection points" were changed to "connection locations".

Claims 1, 2, 4 and 6-8 are rejected under 112, second paragraph for the phrases "can be connected" and "can be placed". The claims are amended to more concretely claims that the item "configured to be connected" or "configured to be placed". During the telephonic interview, the Examiner agreed to drop the 112 rejection if the phrases "can be..." were replace with "configured to be...".

Claims 1, 2, 4 and 6-8 are rejected under 112, first and second paragraphs for the term "screw image". The term has been amended to "screw layout" as this is a much more clear and accurate translation of the German priority document. The term "screw layout" relates in particular to the position of the screw-on domes on the gearbox drive unit, but it also refers to the specific size, shape and profile of the screw-on domes or of a fastener to be used.

Claims 1, 2 and 6-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hager et al. (DE 100 19 512 – US 6,713,913 is used as a translation).

For a person skilled in the art, the term "fixing dome" is a specialist term which relates to the manner in which the entire gearbox drive unit (1) is fixed to the motor vehicle. For example, from paragraph 0004 of the description it is stated that a specific type of window lifter motor is to be fixed in various motor vehicles without the gearbox drive unit

(window lifter drive) or the housing parts thereof having to be changed. For this purpose, the screw-on domes are arranged at various connecting locations 45, 46 on the gearbox drive unit in order to permit different screw images or layouts.

Figures 2a and 2b of Hager present different gearbox housings ("housing 3") which are fabricated as different parts, for example manufactured by means of an injection molding method. Figures 3a and 3b then illustrate these two different gearbox housings 3 or "electronic housing 16" which can each be combined with a standard type of pole cover ("pole cover 2"). The "pole cover 2" forms, together with the "gear housing 3" or "electronic housing 16", an entire gearbox drive unit (10). The "receptacles 5" serve merely to connect different housing parts of a single gearbox drive unit. In this context, the positions of the "receptacles 5" with respect to the "pole cover 2" cannot be changed, all that can be done is to rotate the "pole cover 2" with respect to the "housing 16" in order to combine the "pole cover 2" with different "housings 16". The receptacles 5 are not equivalent to fixing domes (6, 7, 8, 9).

The fixing domes are illustrated in figure 1 of Hager as three round bores in the gearbox housing and they are securely injection molded on the gearbox housing 15 in an integral fashion. These fixing domes which are arranged in a triangle cannot in any way be provided at different connecting locations 45, 46 of the gearbox housing 15. That is to say if the window lifter motor according to Hager is to be fixed in a motor vehicle of a different make in the vehicle bodywork it is necessary to fabricate a completely new gearbox housing 15 on which the screw-on domes (fixing domes) are injection molded in an integral fashion at other locations. In order to avoid this expenditure, the present invention discloses that these fixing domes be fixed at different connecting locations 45, 46 from those for the completely screwed-together drive unit.

The method of connecting two housing parts (2 and 16) also does not provide a person skilled in the art with any indications whatsoever about the variable arrangement of fixing domes on a specific housing part of the present application. This would in fact mean that, for example according to figures 3a and 3b, the "receptacle 12" could be fixed to the "pole cover 2" at another connecting point. However, this is not the case since the "receptacle 12" is fabricated in one piece with the flange of the "pole cover 2" as a deep-drawn part.

In the Office action, it is also stated that claim 2 is anticipated by the embodiment according to figure 3 of Hager. As stated above, the "receptacle 12" is, however, embodied in

one piece (integrally) with the "pole cover 2" as a single deep-drawn part. Although, for example, a screw is inserted into the hole 6 in the corresponding gearbox housing through the "receptacle 12", the "pole cover 2", "gear housing 3" and "electronic housing 16" do not have a groove (21) into which the fixing dome engages with a projection (20).

The fixing domes are designed for connecting to the bodywork of the vehicle. As a result, an additional projection (20), which engages in the groove (21) in the gearbox drive unit, has to be additionally formed on the fixing dome for receiving connecting means for connecting to the bodywork (23) of the vehicle. This is most clearly illustrated in figures 1 and 2.

Hager does not teach or suggest each and every element of claim 1. Therefore, claim 1 is allowable in view of Hager. Claims 2-18 depend from claim 1, and are allowable for at least the reasons indicated above, and for other reasons not specifically discussed herein.

Applicant respectfully submits that upon allowance of a generic claim, such as claim 1, Applicant is entitled to have withdrawn claims 3, 5 and 9-16 examined.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration of the rejection and allowance of claims 1-18.

If additional consultation will further prosecution, the undersigned is available during normal business hours at the below-identified telephone number.

Respectfully submitted,



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